

SACRAMENTO OFFICE  
STATE CAPITOL  
SACRAMENTO, CA 95814  
(916) 445-4961

DISTRICT OFFICE  
18552 MAC ARTHUR BLVD.  
SUITE 395  
IRVINE, CA 92612  
(949) 833-0180  
(714) 630-3304  
(800) 221-2225

# California State Senate

SENATOR  
ROSS JOHNSON  
THIRTY-FIFTH SENATORIAL DISTRICT

COMMITTEES:  
APPROPRIATIONS  
GOVERNMENTAL ORGANIZATIONS  
INSURANCE  
RULES

April 8, 2003

Ms. Liane Randolph  
Chairman  
Fair Political Practices Commission  
428 J Street, Suite 800  
Sacramento, CA 95814

Dear Ms. Randolph:

I am appalled by the fact that it took the Commission more than 11 months to answer a letter I sent on April 18, 2002 (copy attached) regarding state mailings that I believe violate Proposition 73. The publications, which were mailed to hundreds of thousands of Californians, were nothing more than pure political puffery, solely designed to help the re-election campaign of Governor Gray Davis. No reasonable mind could conclude otherwise.

The Commission's inexcusably delayed reply indicated the matter is being closed without any enforcement action after a review of the "ct news" put out by Caltrans and the "Real Estate Bulletin" put out by the Department of Real Estate.

The Commission failed to address an edition of the "Department of Transportation Journal" also put out by Caltrans – with a mailing list of roughly 20,000. The Journal had a full-page color photograph of the Governor on the cover. The publication opened with a message from BTH Agency Secretary Maria Contreras-Sweet touting the Governor's so-called transportation accomplishments. The first article, written by Caltrans Director Jeff Morales, entitled "Governor Gray Davis' \$6.8 Billion Congestion Relief Plan," contained the same color photograph of Governor Davis and discussed new transportation funding. Clearly, Governor Davis is featured in this publication. I would appreciate an explanation as to why this does not violate the mass mailing regulation.

In the entire year of the Commission's "investigation," no one ever contacted me, despite the fact that I am not only the one who brought the complaint, but also authored Proposition 73, which sought to ban all political mass mailings at taxpayer expense.

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In all honesty, I could not disagree more profoundly with the Commission's bogus interpretation of the mass mailing provisions of Proposition 73. Having said that, it seems apparent to me that most certainly in the case of the "Department of Transportation Journal," you're ignoring your own regulations and your own interpretations of those regulations.

am asking for an immediate response. I hope I won't have to wait another year.

Sincerely,

A handwritten signature in black ink that reads "Ross Johnson". The signature is written in a cursive, flowing style.

ROSS JOHNSON  
Senator, 35<sup>th</sup> District

Encls.

cc Wayne Imberi  
Consultant, Enforcement Division